

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:10-CR-15-D

UNITED STATES OF AMERICA :  
 :  
 v. :  
 :  
 DAVID CLARKE :

**FINAL ORDER OF FORFEITURE**

WHEREAS, on March 22, 2010, this Court entered a Preliminary Order of Forfeiture pursuant to the provision of 21 U.S.C. § 853, based upon the defendant pleading guilty to 21 U.S.C. § 846, and agreeing to the forfeiture of the property listed in the March 22, 2010 Preliminary Order of Forfeiture, to wit:

**(A) Real Property**

The real property and all appurtenances located at 482 Gordon Moore Road, Franklinton, North Carolina, described in a deed recorded in Book 1594, pages 409-410 of the Franklin County Register of Deeds.

**(B) Personal Property**

Fidelity Bank: David & Whitney Clarke Account #XXXXXX7540;  
Fidelity Bank: Diversions Consulting Unlimited LLC Account #XXXXXX6308; and

Freedom Federal Credit Union Official Check #310623, dated 8/27/2009 in the amount of \$50,000 made payable to the North Carolina Department of Revenue;

AND WHEREAS, the United States published notice of this forfeiture at the [www.forfeiture.gov](http://www.forfeiture.gov) web site for at least 30 consecutive days, between May 5, 2010 and June 3, 2010, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions. Said published notice advised all third parties of their right to petition the court within sixty (60) days from the first day of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property;

AND WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed for the property described in this Court's March 22, 2010 Preliminary Order of Forfeiture, other than those specifically mentioned herein;

It is HEREBY ORDERED, ADJUDGED and DECREED:


1. That the property listed in the March 22, 2010 Preliminary Order of Forfeiture is hereby forfeited to the United States. That the United States Department of Justice and/or the United States Department of Treasury is directed to dispose of the property according to law.

2. That any and all forfeited funds shall be deposited by the United States Department of Justice and/or the

United States Department of Treasury as soon as located or recovered into the United States Department of Justice's Assets Forfeiture Fund and/or the Department of Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED this 23 of day March 2011.

  
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JAMES C. DEVER, III  
UNITED STATES DISTRICT JUDGE